S.B. CIVIL WRIT PETITION NO.2621/2007
Ram Narayan & Anr.
vs
State of Rajasthan & Ors.

DATE OF ORDER : - 11.7.2007

HON'BLE MR.PRAKASH TATIA,J.

Mr.Varun Goyal,for the petitioners.

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Heard learned counsel for the petitioners.

After several round of the consideration of dispute by Executive Engineer and Superintending Engineer ultimately by order dated 20th April, 2007, the Superintending Engineer, CAD Hanumangarh Junction dismissed the petitioners' appeal and upheld the decision given by the Executive Engineer in respect to the irrigation facilities.

Learned counsel for the petitioners submitted that in the year 1996 when petitioners sought some changes in the water supply then the predecessor of respondent-purchaser himself raised objection and because of that reason he obtained order and, thereafter, the respondent-purchaser from the original objector successfully obtained the order which was denied to petitioner on respondent's predecessor's objection and the same has been upheld by the Superintending Engineer. Learned counsel for the

petitioners submitted that both the officers committed serious error in allowing the water supply as demanded by the respondent.

I considered the submissions of learned counsel for the petitioners and perused the various orders passed by the competent authorities. Firstly, the challenge is not on legal ground because of the reason that two competent authorities after examining the technicalities decided the issue of water supply and it cannot be said that there was no change of circumstances in which the officers could not have taken any different decision.

In view of the above reasons, I do not find any merit in this writ petition, hence, the same is hereby dismissed.

(PRAKASH TATIA), J.

c.p.goyal/-